IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.1231 OF 2006

Dr Vishwas Moreshwar Kanade, .. Petitioner.

Vs

Rajgopal Ghanashyam Laddha and anr .. Respondents

Mr Rakesh Bhatkar i/b Harshad Bhadbhade, for the petitioner.
Mr S.B.Shetye, for the respondents.

CORAM : D.B.BHOSALE,J.
DATE : 10.10.2006
PC:

1. Heard the learned counsel for the parties.

2. Mr.Bhatkar, learned counsel for the petitioner, prays for withdrawal of this writ petition with liberty to the petitioner to file appropriate application before the court below seeking restoration of the appeal which has been dismissed for default by order dated 10.1.2006. The writ petition is allowed to be withdrawn with liberty as prayed for. However, the petitioner is allowed to file an application, as aforestated, within two weeks from today and the court below shall pass an order thereon within four weeks therefrom on merits in accordance with law. While granting the liberty I shall not be understood to have expressed any opinion on merits of the case.

(D.B.BHOSALE,J.)